

I.R.S. CRUCIFIES PORTH

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the Supreme Court in person to make sure there was no slip. He had enlisted the interest of Senator Bob Dole of Kansas who assigned his administrative assistant to conduct him to the Supreme Court. It is difficult to describe what happened here because it is hard to believe that our U.S. Supreme Court could deal in such chicanery. Briefly, the Supreme Court never heard Porth's case. It became befuddled in technicalities. So the court issued an action called "Certiorari" which simply means the lower court decision was upheld without Supreme Court review. So who owns the Supreme Court?

Thus the decision of Judge George Templar's Court issued circa, July 18, 1967 was upheld. Porth was guilty of "evasion of taxes" and on Nov. 6, 1970 was remanded to the custody of Templar's Court. But here is the payoff. Three and a half years ago, Templar had decided Porth should be sent to the federal mental institute for 90 days observation. At this late date, despite the fact, or maybe because of the fact, that Porth had been moving from coast to coast speaking on his subject "Why I Pay No Federal Income Taxes," Judge Templar still had the audacity to enforce his 3½-year-old edict.

There was no alternative for Porth and he entered the Springfield Medical Center for Federal Prisoners on November 6. Patriots from coast to coast were outraged. I did not hear about it until November 13, but two days later I was beating on the prison door demanding to see my old friend.

On our first visit to Mr. Porth, he still stood erect, strong and apparently healthy. He was confused that he was treated as a criminal and placed in an institution with 900 other political prisoners, murderers, bank robbers and other vicious criminals. He could not understand why they had taken his watch away from him so that he could not tell the time of day or night and he was upset because the prison diet was heavy on starches totally against his prescribed diet. I deposited sufficient funds to his credit in the jail commissary so he could purchase a watch and buy fresh fruits. When we left he was cheerful and convinced that he would soon be released. He took great pride in explaining how well he observed the prison rules.

Mrs. Feroll M. Pyle and I called on Porth a second time just after Thanksgiving. We were advised that at last he had been able to talk with an attorney, Mr. Donegan, whom he had never met before. He appeared a little more nervous and furtive and had lost much of his self assurance but we told him we would contact his attorney and see what was being done and could be done about his release. To this point besides us only Mrs. Porth, his wife, had gained admittance.

It was not until December 13, that we were able to return and this time there was an alarming and noticeable deterioration in his condition. He seemed wan and tired. All fight had left him. He confided, "I've got to get out of here. If a man is not insane when he enters these walls, he will be insane before he gets out."

He had heard no more from his attorneys. He was nervous and kept looking beyond us in a distant fixation. He would not complain about his treatment but did state that he was only allowed four visitations per month and that already two had been used up.

We left with the conviction that no stone must be left unturned to gain his release as quickly as possible. It was Sunday and not a good day to locate his lawyer whom outside friends had arranged for, but we finally found him at his home just before sitting down to supper. Mr. Donegan was most cordial, invited us into his home and for thirty minutes explained the legal difficulties of Porth's case ending up with the statement that up to this point he had been unable to find a handhold to enable him to hurdle the solid wall of legality sur-

rounding Porth's confinement. When we concluded this interview we were thoroughly frightened because we knew that Donegan was reputed to be the most capable attorney available. There appeared to be no legal avenue of escape for my old friend. What could possibly be done to obtain his release? I had already written my Congressman and his Senator and neither indicated any hope.

But now we had only one thought. Porth's life was at stake. Regardless of the issues involved, somehow or other we had to get Porth out of that horrible hole. If you really want to know just how horrible it is, read the book entitled, "Destroy the Accuser," by Fred Seelig, who also was thrown to the wolves here. Seelig, although a young man, died prematurely due to the punishment received here.

There could only be one hope — appeal to the people. Brave words, but how does one do this without money? We called up Wayne A. Morse in Kansas City. Wayne is probably the most notorious professional picketeer in the United States and certainly the most experienced. He knew Porth and knew what a great patriot he was. "You know, Smith, since my wife died, I have retired from this scene." Wayne explained, but we talked and finally he said, "I will help out."

We had barely a week to prepare signs, printed material, advise the Judge we would picket his office, notify the Topeka Chief of Police, assemble our picketeers and traverse the required 350 miles between points.

On Monday, Dec. 21 we arrived with the circulars neatly printed, at the office of the Chief of Police in Topeka, just in time to catch him before he went to lunch.

Shortly after lunch we took the elevators in the Federal building to Judge Templar's office.

As the Committee spokesman, I came quickly to the point and handed Judge Templar a copy of our questionnaire. He was very obliging and explicit in answering the questions. Without recording the entire 45 minute interview let us bring out the salient points. He had a choice of sending Porth to a federal prison to serve the sentence pronounced or he could send him to a mental institution for 90 days "observation" which he felt was the "kindest" alternative. I asked him by what authority he sent Porth to Springfield and he obligingly produced and read section 4208 (b) of Title 18 of the U.S. Criminal Code.

Mrs. Pyle pointed to the stigma attached to sending anyone to a mental institute and asked in the name of humanity and the Christmas spirit that Judge Templar release Porth from the Springfield pen for Christmas. Templar said he could not possibly do this — he could only wait for the reports to follow their regular channels and when returned to him from the Bureau of Prisons and Department of Justice, he would determine whether or not he would place Porth on probation. Then he made a very startling statement. He said that he would NOT release Porth on probation unless Porth agreed to stop talking about the income tax and his case.

As we left the judge's chambers Mrs. Pyle said to me: "Why that is blackmail. That has nothing to do with the issues at stake."

"Yes," I agreed, "but these are the powers-that-be and if we are to save Porth's life, we must recommend to him that he agree to the terms for his release. I immediately wrote Mrs. Porth and she subsequently advised me that Porth had written a letter to the judge agreeing to his conditions. One month later almost to the day Porth was released in accordance with these terms. Porth was released alive and breathing to be sure, but today he is a broken man, impaired physically and sadly disillusioned. He will not speak to anyone. He is facing a very serious operation but never again may he raise his voice in protest of the violation of his Constitutional rights and especially of the newest violation of his right of free speech.

The ignominy of Porth's defeat was best expressed on the front page of the **Wichita Beacon** for Jan. 27, 1971 under this headline:

"Tax Rebel Porth Freed on Condition He Quit Picking on Revenue Service."
Hear the text of the article:

"A. J. Porth, longtime vocal foe of the Internal Revenue Service, who went to jail rather than pay income tax, may be silenced forever by conditions of the federal probation that freed him last week.

"Porth had served 2½ months . . .

"The most poignant of the five conditions of the probation (two years), which had been accepted by Porth before his release, is that he must 'abstain' from speaking, writing or questioning by any other means the 'constitutionality of the federal reserve system.'

"Another strong condition of the probation is that he file a copy of income tax returns with his probation officer when they are due."

Did you ever believe the day would come in the United States of America when any citizen would so publicly and brazenly be called on to give up his freedom of speech? If this does not tell you with what an iron fist the international bankers rule this country, then we all deserve the abject slavery forced upon us.

As for me, there was a great man who voiced my present sentiment many years ago — his name was Patrick Henry and I trust his words ring clear for any person who dares call himself "AMERICAN" today. "As for me, give me liberty or give me death."

Denouncement, What Remains to Be Done

The simple fact is that you cannot kill the money monster by feeding it but you can starve it to death. Do you have enough guts to stop feeding the beast that is destroying you?

The President has recommended to Congress that it return federal money to the states and cities. The best possible cure for inflation is to keep the money out of the hands of federal government who never should have had it in the first place. Leave the money at home with the people who earned it. **Abolish the federal income tax and all its outlandish, costly collection.** Certainly if the states and localities need funds to operate they have far greater legal right to stick their hands in the taxpayers' pocket than has the federal government. **AWAY WITH THE FEDERAL PERSONAL INCOME TAX AND THEN WATCH CONGRESS COME TO HEEL !!!**

LAURENCE C. SMITH and his committee are determined to continue Porth's fight against the vicious personal Income Tax so that the valiant efforts of patriots such as A. J. Porth will not have been in vain. Anyone wishing further information on how you can help are urged to write directly to . . .

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